



Farmington River Watershed Association, Inc.

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Testimony on Raised Bill 5424, An Act Concerning the Responsibilities of the Water Planning Council

To Sen. Ed Meyer, Rep. Linda Gentile, Chairs; and Members of the Environment Committee,
Thank you for the opportunity to comment on this raised bill.

The Farmington River Watershed Association (FRWA) is a non-profit citizen's group whose mission is to preserve, protect, and restore the Farmington River and its watershed. Our organization is especially interested in this bill because it was in part the lack of state water planning that recently gave rise to a loud public argument over the wisdom of sending water from the Farmington River Watershed to the campus of UConn in Storrs. That controversy highlighted the need to do state water planning now, when we have time to do it well, rather than waiting for urgent water supply problems to arise and force short-sighted remedies.

FRWA is of course in favor of a bill that provides impetus, direction, authority, wide participation, a timeline, and resources for water supply planning. This bill is a welcome step, and kudos are due to those who worked together to draft it. However, it does raise some questions and concerns.

At the Water Planning Summit convened by Rep. Hampton in October, and at the Feb. 3 UConn Water Planning Conference, experts emphasized over and over (and attendees emphatically agreed) that water planning requires adequate, well-integrated data. Accordingly, two of the required elements of the state water plan in Section 1b are to "meet data collection and analysis needs to provide for data driven water planning and permitting decisions" and to "take into account the ecological, environmental and economic impact that implementation of the state water plan will have on the state." This is a tall order.

Gathering and analyzing new data, integrating existing data, and using data for modeling and making predictions all take time and resources, but the bill does not specifically allocate funding to these essential tasks. In Section 8 of the bill, five hundred thousand dollars are allocated to the Office of Policy and Management for developing the plan, and one million to the Department of Public Health for contractual assistance to the Water Utility Coordinating Committees. But much of the relevant data for water supply planning is gathered and held by the Department of Energy and Environmental Protection, as well as other agencies and institutions. Agencies that will have to do the raw data gathering, database searching, or data integration need funding to do so promptly, in order to inform a water plan with an ambitious deadline of January 2017. If planners can't access the information they need to do a good job, what's the point of hastening to spend \$1.5 million on them?

Section 4a describes the elements that a water utility coordinating committee (WUCC) shall incorporate in developing a coordinated water system plan. The 11 elements listed would be best achieved with multi-stakeholder input. The WUCC planning process has been criticized for the relatively small role it

allows towns, Councils of Governments, and environmental groups, among others, in working out a regional water plan. This might be addressed with explicit language in the bill requiring inclusion of additional stakeholders in the WUCC planning process.

But a larger concern with Section 4a is its assumption that the WUCCs will in fact be the entities doing regional water supply plans. There is an ongoing debate among water planning stakeholders about whether WUCCs can fulfill their mandates, given their past track record. There are calls for WUCCs to be re-organized, re-structured, given different boundaries, or even have their functions taken over by other planning entities such as Councils of Governments. In the WUCC plan elements listed in Section 4a, there is little emphasis on a planning process that recognizes water's role in maintaining vital ecosystem services. The main emphasis is on constructed water systems, especially drinking water supply. Given the original purpose and composition of WUCCs, this is understandable, but regional plans (and planners) now must manage water as a resource with broader ecological and public health values, if we are to have a state water plan as described in Section 1b.

WUCCs thus seem to have fundamental organizational and procedural issues to address, yet this bill assigns them a critical role in producing a state water plan on a relatively short timeline. Is it even necessary at this point to specify the WUCCs as the regional water planning units? Instead, the Water Planning Council might be charged with shaping an updated version of WUCCs (or an equivalent) as part of its overall planning task.

Section 6b provides for the Department of Public Health to use licensed water professionals to determine whether an application or submittal to DPH requires further review and approval by DPH staff; if it doesn't, then the licensed water professional can verify that the item was prepared according to DPH standards. The intent of this provision is no doubt to relieve department staff of a burdensome requirement to review every submission, no matter how routine and well-vetted on previous occasions; and to streamline reviews for the submitting entity. This would be a benefit to all concerned. However, the bill as written does not convey (to this reader at least) that the water professional shall be engaged by DPH, and thus be independent of influence from the applicant who is paying for the professional's review. A process should be specified that ensures separation between the paying applicant and the licensed water professional doing the review.

Respectfully submitted,



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